

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

PRO-FOOTBALL, INC.,

Plaintiff,

v.

AMANDA BLACKHORSE, MARCUS  
BRIGGS-CLOUD, PHILLIP GOVER, JILLIAN  
PAPPAN, and COURTNEY TSOTIGH,

Defendants.

Civil Action No. 14-CV-1043-GBL-IDD

**PLAINTIFF'S NOTICE OF  
CONSTITUTIONAL QUESTION**

**TO ALL PARTIES, THEIR COUNSEL OF RECORD, AND U.S. ATTORNEY GENERAL:**

Pursuant to Rule 5.1(a)(1) of the Federal Rules of Civil Procedure, Plaintiff Pro-Football, Inc. ("Pro-Football") submits this Notice regarding its constitutional challenges to Section 2(a) of the Lanham Act, 15 U.S.C. § 1052(a), which are set forth in Pro-Football's Complaint [Dkt. No. 1], filed on August 14, 2014 in the above-captioned matter.

The questions raised by Pro-Football's constitutional challenge are:

1. Whether Section 2(a) of the Lanham Act, 15 U.S.C. § 1052(a), violates the First Amendment to the U.S. Constitution, both facially and as applied to Pro-Football, because it is an overbroad, impermissible content-based restriction on speech.
2. Whether Section 2(a) of the Lanham Act, 15 U.S.C. § 1052(a), is impermissibly vague under the U.S. Constitution.

**SERVICE ON THE UNITED STATES**

Pursuant to Rule 5.1(a)(2) of the Federal Rules of Civil Procedure, copies of this Notice and the referenced Complaint are being served on this date, September 12, 2014, by certified or

registered mail on the Attorney General of the United States, at U.S. Department of Justice, 950 Pennsylvania Avenue, NW Washington, D.C. 20530-0001, as well as by e-mail to [AskDOJ@usdoj.gov](mailto:AskDOJ@usdoj.gov).

Dated: September 12, 2014

Respectfully submitted,

/s/ Craig C. Reilly  
Craig C. Reilly, Esq. (VSB # 20942)  
[craig.reilly@ccreillylaw.com](mailto:craig.reilly@ccreillylaw.com)  
THE LAW OFFICE OF CRAIG C. REILLY  
111 Oronoco Street  
Alexandria, Virginia 22314  
Tel: (703) 549-5354  
Fax: (703) 549-5355

Robert L. Raskopf (admitted *pro hac vice*)  
[robertraskopf@quinnemanuel.com](mailto:robertraskopf@quinnemanuel.com)  
Todd Anten (admitted *pro hac vice*)  
[toddanten@quinnemanuel.com](mailto:toddanten@quinnemanuel.com)  
Claudia T. Bogdanos (admitted *pro hac vice*)  
[claudiabogdanos@quinnemanuel.com](mailto:claudiabogdanos@quinnemanuel.com)  
QUINN EMANUEL URQUHART & SULLIVAN, LLP  
51 Madison Avenue, 22nd Floor  
New York, New York 10010  
Tel: (212) 849-7000  
Fax: (212) 849-7100

*Counsel for Plaintiff Pro-Football, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 12, 2014, the foregoing pleading or paper was filed and served electronically by the Court's CM/ECF system upon all registered users in this action:

/s/ Craig C. Reilly  
Craig C. Reilly, Esq. (VSB # 20942)  
[craig.reilly@ccreillylaw.com](mailto:craig.reilly@ccreillylaw.com)  
THE LAW OFFICE OF CRAIG C. REILLY  
111 Oronoco Street  
Alexandria, Virginia 22314  
Tel: (703) 549-5354  
Fax: (703) 549-5355  
*Counsel for Plaintiff Pro-Football, Inc.*